IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 63 of 2001

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

RAJENDRAKUMAR RAMABHAI PATEL

Versus

PAVITRA CO-OPERATIVE HOUSING SOCIETY LTD.

Appearance:

1. Appeal from Order No. 63 of 2001

MR PR NANAVATI for Appellant No.

MR DV PARIKH for Respondent No. 1

DELETED for Respondent No. 2-6

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 13/01/2005

ORAL JUDGEMENT

1. The appellant has preferred this appeal from

order against the order dated 12/01/2001 passed below application Exh.5 by the learned Civil Judge (S.D.), Ahmedabad (Rural) in Special Civil Suit No.250 of 2000.

2. While admitting this Appeal from Order, this Court in Civil Application No.1643 of 2001 had directed the parties to not make any construction over the disputed piece of land. Now, as status quo is operating since 2001, it would be appropriate to direct the parties to maintain that position till the suit pending before the said Court is finally disposed of.

3. I have heard learned counsel for the parties and have perused the relevant documents on record. In view of the facts and circumstances of the case, I am of the opinion that ends of justice would be met if the trial Court is directed to expedite the hearing of the said suit.

4. Therefore, without entering into the merits of the matter, the trial Court is directed to hear and dispose of Special Civil Suit No.250 of 2000 pending before the Court of the learned Civil Judge (S.D.), Ahmedabad (Rural) as expeditiously as possible.

5. With the above observations and directions, the Appeal from Order stands disposed of. Parties are directed to maintain status quo till the said suit is finally disposed of.

[K. S. JHAVERI, J.]
pravin/